

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 24.06.2015

CORAM

THE HONOURABLE MR.JUSTICE M.SATHYANARAYANAN

W.P.No.18069 of 2015

And

M.P.Nos.1 and 2 of 2015

Mrs.N.Adilakshmi

... Petitioner

Vs.

- 1 The Government of Tamilnadu
Rep. by its Principle Secretary Energy
Department Secretariat Chennai-600 009.
 - 2 TANTRANSO
Repd. by its Chairman 10th Floor NPKRR
Maligai 144 Anna Salai Chennai-600 002.
 - 3 The District Collector
Office of the Collectorate Trivellore
Trivellore District.
 - 4 Lanson and Toubro Limited
T.C.-1 Building Mount
Poonamallee Road
Manapakkam Chennai-89.
- ... Respondents

Prayer:

Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus forbearing the respondents and their subordinates from laying the proposed transmission line in Survey Nos. 93-2, 93-5C, 93-7, 93-9A, 93-10A, 95-1B, 96-1, 97-1B, 97-2B in patta No.103 of No.93, Kottakuppam village, Othukottai Taluk, Trivellore District without complying with the provisions of Section 68 of the Electricity Act 2003 and Section 16 of the Telegraph Act 1885 and other applicable legal provisions as also consider the petitioner alternate proposal for laying the above stated transmission line.

For Petitioner	: Mr.M.L.Ramesh
For Respondents	: Mr.R.Vijayakumar for R1 and R3 Additional Government Pleader Mr.P.Gunaraj for R2

O R D E R

By consent the writ petition is taken up for final disposal.

2.The Petitioner would state that she is a widow thriving her livelihood only on agricultural income and she is in possession of the land admeasuring to an extent of 40 cents in S.No.95/1B. The grievance expressed by the petitioner is that the second respondent is erecting a power line by installing poles for giving dedicated power supply for the fourth respondent and without providing any opportunity whatsoever to the petitioner making attempts to erect pole right in the middle of the petitioner's lands and in that event the agricultural activities carried out would be definitely affected. The petitioner herein submitted her objections dated 12.06.2015 to the second respondent and since she has not been favoured with any kind of response, came forward to file this writ petition.

3.Mr.M.L.Ramesh, learned counsel appearing for the petitioner would submit that the concerned respondents are not having any statutory obligation to give a disposal to the petitioner's representation and without even disposing of the representation, making all efforts to erect pole on the petitioner's lands and prays for appropriate orders.

4.This Court heard the submissions of Mr.M.L.Ramesh, learned counsel appearing for the petitioner, Mr.R.Vijayakumar, learned Additional Government Pleader, who accepts notice on behalf of the respondents 1 and 3 and Mr.P.Gunaraj, learned Standing Counsel, who accepts notice on behalf of the second respondent.

5.Though the petitioner prayed for a larger relief, this Court in the light of the facts and circumstances of the case and without going into the merits of the claim projected by the petitioner in her objection/ representation directs the second respondent to consider and dispose of the objection/ representation dated 12.06.2015 in accordance with law and pass orders within a period of four weeks from the date of receipt of a copy of this order and till such disposal, shall defer further decision in respect of erection of pole on the petitioner's land.

6.The writ petition is disposed of accordingly. No costs. Consequently, the connected miscellaneous petitions are also closed.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

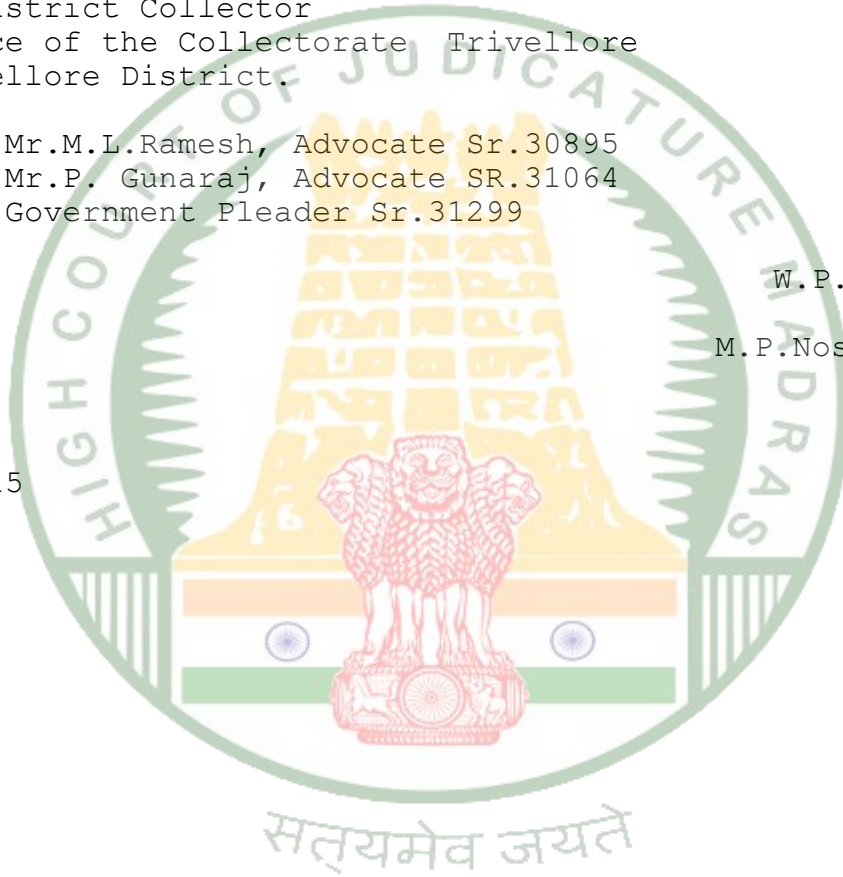
pri

To

- 1 The Principle Secretary
Government of Tamilnadu Energy
Department Secretariat Chennai-600 009.
 - 2 The Chairman TANTRANSO
10th Floor NPKRR
Maligai 144 Anna Salai Chennai-600 002.
 - 3 The District Collector
Office of the Collectorate Trivellore
Trivellore District.
- + 1 cc to Mr.M.L.Ramesh, Advocate Sr.30895
+ 1 cc to Mr.P. Gunaraj, Advocate SR.31064
+ 1 cc to Government Pleader Sr.31299

W.P.No.18069 of 2015
And
M.P.Nos.1 and 2 of 2015

CTK(CO)
Eu 08.07.15



WEB COPY